

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Darcel Copes		CHAPTER 13
	<u>Debtor</u>	
CHONDRITE REO, LLC (2) c/o BSI FINANCIAL SERVICES INC.		
	<u>Secured Creditor</u>	NO. 18-16563 ELF
vs.		
Darcel Copes		
	<u>Debtor</u>	
		11 U.S.C. Section 362
William C. Miller, Esquire		
	<u>Trustee</u>	

**SECURED CREDITOR, CHONDRITE REO, LLC (2)'S MOTION TO JOIN TRUSTEE'S  
MOTION TO DISMISS DEBTOR'S BANKRUPTCY**

Secured Creditor, Chondrite REO, LLC ("Movant"), by and through its undersigned counsel, KML Law Group, P.C., hereby joins in the Motion of the Chapter 13 Trustee to dismiss Debtor's Bankruptcy and in support thereof, avers as follows:

1. Debtor, Darcel Copes ("Debtor") filed a Chapter 13 Bankruptcy Petition on October 1, 2018 [Dk. No. 1].
2. On December 10, 2018, Movant filed its Total Debt Proof of Claim in the amount of \$88,989.34 [Claim #13].
3. Debtor's Third Amended Plan was confirmed on June 4, 2019 [Dk. No. 60].
4. On July 3, 2019, William C. Miller, Esquire, the Chapter 13 Trustee, filed a Motion to Dismiss Debtor's Bankruptcy due to Debtor's failure to commence or continue making timely payments to the trustee as required by 11 U.S.C. Section 1326 [Dk. No. 69].
5. As of July 30, 2019, Debtor is delinquent in his plan payments in the amount of \$4,230.00 or two (2) full payments.
6. As Movant's claim is a total debt claim, if Debtor fails to make his plan payments, then the Trustee cannot disburse amounts owed to Movant pursuant to Movant's proof of Claim and Debtor's Confirmed Plan.

7. For this reason, Movant joins the Trustee's Motion to Dismiss Debtor's Bankruptcy and respectfully requests this Honorable Court enter an Order dismissing Debtor's Chapter 13 case.

**WHEREFORE**, Secured Creditor, Chondrite REO, LLC, by and through its undersigned counsel, KML Law Group, P.C., respectfully requests this Honorable Court enter an Order dismissing Debtor's Bankruptcy.

Date: July 31, 2019

By: /s/ Kevin G. McDonald, Esquire  
Attorney for Secured Creditor  
KML Law Group , P.C.  
BNY Mellon Independence Center  
701 Market Street, Suite 5000  
Philadelphia, PA 19106  
215-627-1322

**KML LAW GROUP, P.C.**

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Philadelphia, PA 19106

[www.kmlawgroup.com](http://www.kmlawgroup.com)

July 31, 2019

Darcel Copes  
6136 Washington Avenue  
Philadelphia, PA 19143

RE: Darcel Copes  
Bankruptcy Case Number: 18-16563 ELF  
Our File Number: 187939BK

Dear Sir or Madam:

Enclosed for service upon you and your counsel, is a true and correct copy of the SECURED CREDITOR'S MOTION TO JOIN TRUSTEE'S MOTION TO DISMISS DEBTOR'S BANKRUPTCY by the lender, CHONDRITE REO, LLC (2).

KML LAW GROUP, P.C.  
Kevin G. McDonald, Esquire  
Phone: (215) 825-6311  
Email: [kmcdonald@kmlawgroup.com](mailto:kmcdonald@kmlawgroup.com)

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: Darcel Copes**

**Debtor**

**CHONDRITE REO, LLC (2)**

**Secured Creditor**

**vs.**

**Darcel Copes**

**Debtor**

**William C. Miller Esq.**

**Trustee**

**BK NO. 18-16563 ELF**

**Chapter 13**

**CERTIFICATE OF SERVICE OF  
SECURED CREDITOR, CHONDRITE REO, LLS (2)'S MOTION TO JOIN TRUSTEE'S  
MOTION TO DISMISS DEBTOR'S BANKRUPTCY**

I, Kevin G. McDonald, of KML Law Group, P.C., certify that I am, and at all times hereinafter mentioned was, more than 18 years of age and that on July 31, 2019, I served the above captioned pleading, filed in the proceeding on the parties at the addresses shown below;

Debtor

Darcel Copes  
6136 Washington Avenue  
Philadelphia, PA 19143

Attorney for Debtor

Erik B. Jensen  
Jensen Bagnato, PC  
1500 Walnut Street, Suite 1920  
Philadelphia, PA 19102

Trustee

William C. Miller  
Chapter 13 Trustee  
P.O. Box 1229  
Philadelphia, PA 19105

Method of Service: electronic means or first class

mail Dated: July 31, 2019

**/s/Kevin G. McDonald, Esquire**

Kevin G. McDonald, Esquire  
KML Law Group, P.C.  
BNY Mellon Independence Center  
701 Market Street, Suite 5000  
Philadelphia, PA 19106  
Phone: (215) 825-6311  
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